

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 04-2468**

---

In Re: ALLEN V. JAFFE,

Petitioner.

---

On Petition for Writ of Mandamus. (CA-03-799)

---

Submitted: February 9, 2005

Decided: February 22, 2005

---

Before MOTZ, SHEDD, and DUNCAN, Circuit Judges.

---

Petition denied by unpublished per curiam opinion.

---

Allen V. Jaffe, Petitioner Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Allen V. Jaffe petitions this court for a writ of mandamus to compel the district court to vacate its October 5, 2004 order imposing sanctions against him and to order the presiding judge to recuse himself. Mandamus is a drastic remedy to be used only in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976). Mandamus relief is available only when there are no other means by which the relief sought could be granted, In re Beard, 811 F.2d 818, 826 (4th Cir. 1987), and may not be used as a substitute for appeal, In re Catawba Indian Tribe, 973 F.2d 1133, 1135 (4th Cir. 1992). The party seeking mandamus relief bears the heavy burden of showing he has no other adequate means to obtain the relief sought and that his entitlement to relief is "clear and indisputable." Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980). We deny Jaffe's petition for writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED